

CITY COUNCIL  
CITY OF WICHITA  
KANSAS

City Council Meeting  
9:00 A.M., January 11, 2005

City Council Chambers  
455 North Main

ORDER OF BUSINESS

- Call to Order
  - Invocation
  - Pledge of Allegiance
  - Approve the minutes of the January 4, 2005 meeting
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AWARDS AND PROCLAMATIONS

- Proclamations
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CONSENT AGENDA

1. Report of the Board of Bids and Contracts Dated January 10, 2005.

RECOMMENDED ACTION: Receive and file report; approve Contracts;  
authorize necessary signatures.

2. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2005</u>	<u>(Consumption on Premises)</u>
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Cheryl L. Gehlen	Annex Lounge	6305 East Harry
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<u>Renewal</u>	<u>2005</u>	<u>(Consumption off Premises)</u>
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Mike Hoffmann	Kwik Shop 749	2142 North Webb Road
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RECOMMENDED ACTION: Approve licenses subject to Staff review  
and approval.

3. Petition to Construct a Storm Water Drain in Avalon Park Second Addition - North of 37<sup>th</sup> Street North, East of Tyler. (District V)

RECOMMENDED ACTION: Approve Petition; adopt Resolution.

4. Minutes of Advisory Boards/Commissions:

Deferred Compensation Board of Trustees quarterly meeting, June 24, 2004  
District VI Advisory Board minutes, July 12, 2004  
Housing Advisory Board meeting, July 20, 2004  
District VI Advisory Board minutes, August 2, 2004  
Wichita Employees Retirement Board/Police & Fire Retirement Board, Joint Investment Committee minutes, August 5, 2004  
Board of Park Commissioners regular meeting, August 16, 2004  
Wichita Employees Retirement System regular board meeting minutes, August 25, 2004  
Police & Fire Retirement System regular board meeting minutes, August 25, 2004  
Wichita Employees Retirement Board, Police & Fire Retirement Board, Joint Investment Committee minutes, September 2, 2004  
Minutes of the City of Wichita, Wichita Airport Advisory Board, September 7, 2004  
Board of Park Commissioners regular meeting, Park & Recreation, September 13, 2004  
Board of Code Standards and Appeals, minutes, September 13, 2004  
Wichita Employees Retirement System annual board meeting minutes, September 15, 2005  
Housing Advisory Board meeting, September 21, 2004  
Wichita Public Library board meeting regular minutes, September 21, 2004  
Wichita Public Library monthly report, September 2004  
Police & Fire Retirement System, regular board meeting minutes, September 22, 2004  
Minutes of the city of Wichita, Wichita Airport Advisory Board, October 4 2004  
Wichita Employees Retirement Board/Police & Fire Retirement Board, annual joint investment committee meeting minutes, October 7, 2004  
Wichita Public Library, board meeting regular minutes, October 19, 2004

RECOMMENDED ACTION: Receive and file.

5. Street Closures: Removal of Railroad Crossing. (Districts I, II and VI)

RECOMMENDED ACTION: Approve the full and partial street closures.

6. Design Services Agreement for South Arkansas River Greenway Improvements.

RECOMMENDED ACTION: Approve Agreement/Contract; authorize necessary signatures.

7. Contracts & Agreements, Blanket Purchase Orders Renewal Options; Professional Contracts under \$25,000 and Annual Maintenance Contracts over \$25,000 for December 2004.

RECOMMENDED ACTION: Receive and file.

8. Irrigation Design and Build Services for Delano Park and Park Villa. (District VI)

RECOMMENDED ACTION: Approve the recommendation of the Selection Committee for construction of new irrigation systems and authorize the necessary signatures.

9. Second Reading Ordinances: (First read January 4, 2005)

a) Nuisance Abatements.

1. An Ordinance making a special assessment to pay for the cost of cutting weeds in the City of Wichita, Kansas.
2. An Ordinance making a special assessment to pay for the cost of abating certain public health nuisances (lot clean up) under the provision of Section 7.40.050 of the Code of the City of Wichita, Kansas. Be it ordained by the governing body of the City of Wichita, Kansas:

b) DR2004-13-Proposed Amendments to the Wichita-Sedgwick County Subdivision Regulations.

An Ordinance amending the "Wichita-Sedgwick County Subdivision Regulations, January 28, 1999 edition," as adopted by reference in City of Wichita Code Sec. 28.05.010.

c) ZON2003-44 - southeast corner of 37th Street North and Tyler Road. (District V)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. (ZON2003-44)

d) ZON2003-74 - northeast corner of Kellogg and 143<sup>rd</sup> Street East. (District II)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. (ZON2003-74)

e) ZON2003-45 - east side of West Street and North of Maple. (District VI)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. (ZON2003-45)

f) A05-01- generally located southwest of the intersection of K-96 and Ridge Road. (District V)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. Martz moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans. (A-05-01)

(Item 9 continued)

g) A05-02 - generally located northeast of the intersection of Amidon and K-96. (District VI)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. Martz moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans. (A-05-02)

RECOMMENDED ACTION: Adopt Ordinances.

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NEW BUSINESS

10. Weapons Destruction.

In March 2004, it was requested that Police Department staff research the practicality and possibility of selling seized weapons rather than destroying the firearms. The research was completed and forwarded to the City Manager.

RECOMMENDED ACTION: Approve request for weapons destruction and file the report.

(11:00 a.m. or soon thereafter)

11. General Obligation Bond and Note Sale.

The City is offering for sale one series of general obligation temporary notes totaling \$57,585.00 (Series 213), two series of general obligation bonds (Series 780 and 780A) totaling \$19,810,000 for the purpose of providing permanent financing for capital improvement projects of the City and one series of general obligation bonds (Series 958) totaling \$4,140,000 for the purpose of providing permanent financing for Tax Increment Finance (TIF) related projects of the City.

RECOMMENDED ACTION: 1) Direct the opening and reading of the bids; 2) award sale of the Bonds and Temporary Notes; and 3) find the declare upon the request of the Mayor, that a public emergency exists, requiring the final passage of the Bond and Note Ordinances on the date of their introduction, adopt the Bond and Note Ordinances and Resolutions and authorize the publication thereof.

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PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

\* Consent Items

12. ZON2004-00058-Zone Change from Single-Family Residential to Neighborhood Office. Generally Located at the Northwest Corner of Douglas and Tyler. (District V)

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC and approve the zone change to Neighborhood Office, subject to the conditions contained in Protective Overlay Number 149; place the ordinance on first reading; authorize staff to withhold publication of the ordinance authorizing this zone change until all conditions are met; or  
2. Return the application to MAPC for reconsideration.

13. CUP2004-00036-(Associated with ZON2004-00040), Create DP278 Newmarket V Commercial Community Unit Plan; Zone Change to Limited Commercial. Generally Located South of 29<sup>th</sup> Street North and West of Maize Road. (District V) (Council returned to MAPC on November 2, 2004)

RECOMMENDED ACTION: Adopt findings of the MAPC and approve the zone change and CUP subject to the condition of platting within two years and the recommended conditions without a cross-lot circulation requirement; instruct the Planning Department to forward the Ordinance for first reading when the plat has been recorded with the Register of Deeds.

14. \*VAC2004-00051-Request to Vacate a Portion of a Platted Utility Easement, Generally Located Southwest of the 119<sup>th</sup> Street West and Central Avenue Intersection, more Specifically Located Northwest of the Hardtner Circle and Jaax Street Intersection. (District V)

RECOMMENDED ACTION: Approve the Vacation Order and authorize the necessary signatures.

15. \*VAC2004-00053-Request to Vacate a Portion of a Platted Utility Easement, Generally Located One-Fourth Mile East of West Street and south of 21<sup>st</sup> Street North, more Specifically Located on the Northeast Corner of Westridge Drive and Westridge Court. (District VI)

RECOMMENDED ACTION: Approve the Vacation Order and authorize the necessary signatures.

16. \*VAC2004-00056-Request to Vacate a portion of a Drainage Easement Dedicated by Separate Instrument, Generally Located Midway between 29<sup>th</sup> Street North and 37<sup>th</sup> Street North, West of Ridge Road, More Specifically Located Northeast of the Wild Rose Street and Forest Lakes Street Intersection. (District V)

RECOMMENDED ACTION: Approve the Vacation Order and  
authorize the necessary signatures.

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### AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.  
\*Consent items

17. \*Passenger Facility Charge (PFC) Amendment.

RECOMMENDED ACTION: Approve the PFC amendment and authorize  
the necessary signatures for submission.

18. \*Tenant Facility Improvements, Wichita Mid-Continent Airport.

RECOMMENDED ACTION: Approve the contract and authorize the  
necessary signatures.

Adjournment

\*\*\*Workshop to follow\*\*\*